



City of Granite City

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***Board of Appeals
MINUTES
January 16, 2020***

The Granite City Board of Appeals met on Thursday, January 16, 2020. Chairman Sam Akeman called the meeting to Order at 5:00 PM.

WELCOME

The Chairman Sam Akeman welcomed everyone and began the meeting by requesting Roll Call.

ROLL CALL

Members Present: Sam Akeman, Barbara Hawkins, David Czerny, Gloria Rains, Sharon Aleksandrian. Excused Absent: Kitty Reither and Leroy Taylor.

Also present: Zoning Administrator Steve Willaredt, Asst. City Attorney Derek Filcoff, Alderman Bob Pickerell, Alderman Dan McDowell, Alderman Gerald Williams and Alderman Andy Mathes.

COMMENTS/SWEAR IN

The Chair explained to the Petitioners the Board of Appeals is a recommending body to the City Council and the Council will have the final determination at their next regularly scheduled meeting to be held on February 4, 2020. The Petitioners were asked to stand and they were sworn in.

MINUTES / AGENDA

A motion to approve the Minutes from the previous meeting held November 7, 2019 and this evening's Agenda was made by Barb Hawkins and seconded by Gloria Rains. All in favor. Motion carried.

PETITIONER: (1) James & Elaine Holmes
724 27th Place
Parcel ID # 22-2-20-17-18-303-029

Chairman Sam Akeman explained the request to consider a variance, to allow ceiling height of less than 7 foot, in a residential rental property, in District Zoned R-2, Single Family Residential.

Elaine Holmes addressed the Board of Appeals and explained that the properties in question were built around 1930 and that they have been rental properties of theirs since the 90's. They have always passed occupancy inspections in the past, but now all of the sudden they do not.

Steve Willaredt explained the Building Code states that habitable space must have a ceiling height of 7 foot or higher.

Joseph Reams, Attorney for James and Elaine Holmes, explained that with the city not allowing the Holmes to use this property, the courts could say the City of Granite City is denying them the benefit of their property and they could say that the City of Granite City would have to purchase said property at full market value. He also explained that the Ordinance does not state predated property must comply with the Ordinance.

City Attorney Derek Filcoff shared with the Board of Appeals members that this case is in the Circuit Court. The Judge ordered that the Holmes bring this matter before the Board of Appeals first, stating that they had not exhausted all efforts with the City of Granite City and that they should appeal the denial with this board before he would rule in the case. Attorney Filcoff also further explained to the Board of Appeals members what the Holmes attorney had discussed as far as if the appeal is denied. He stated there would be a possibility that the courts could rule that the City of Granite City would have to purchase the property at fair market value, for denying them the benefit of using their property.

Russell Wilson the neighbor of the property addressed the board and stated he had no issue, but also feels that if everyone else has to live up to the code so should the Holmes.

Barbara Hawkins asked what the heights of the ceilings actually were.

724 27th Place Ceiling Height—6' 10"
2901 Harding Ceiling Height—6' 8"

Sam Akeman asked if there were any more questions.

MOTION By David Czerny, second by Gloria Rains to approve the request for a variance, to allow ceiling height of less than 7 foot, in a residential rental property, in District Zoned R-2, Single Family Residential at 724 27th Place. Motion carried.

ROLL CALL:

Sam Akeman	Yes	Barbara Hawkins	Yes
David Czerny	Yes	Gloria Rains	Yes
Sharon Aleksandrian	Yes		

PETITIONER: (2)

James & Elaine Holmes
2901 Harding Ave
Parcel ID # 22-2-19-13-13-302-020

Chairman Sam Akeman explained the request to consider a variance, to allow ceiling height of less than 7 foot, in a residential rental property, in District Zoned R-3, Single Family Residential.

MOTION By David Czerny, second by Sharon Aleksandrian to approve the request for a variance, to allow ceiling height of less than 7 foot, in a residential rental property, in District Zoned R-2, Single Family Residential at 2901 Harding Ave. Motion carried.

ROLL CALL:

Sam Akeman	No	Barbara Hawkins	No
David Czerny	Yes	Gloria Rains	Yes
Sharon Aleksandrian	Yes		

NEW BUSINESS

None voiced.

UNFINISHED BUSINESS

None voiced.

MOTION by David Czerny, second by Gloria Rains to adjourn the Board of Appeals meeting.
Motion carried.

Respectfully submitted,
Melanye Weinholder
Board of Appeals Secretary

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ADVISORY REPORT
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MOTION By David Czerny, second by Gloria Rains to approve the request for a variance, to allow ceiling height of less than 7 foot, in a residential rental property, in District Zoned R-2, Single Family Residential at 724 27th Place. Motion carried.

ROLL CALL:

Sam Akeman	Yes	Barbara Hawkins	Yes
David Czerny	Yes	Gloria Rains	Yes
Sharon Aleksandrian	Yes		

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PETITIONER: (2) James & Elaine Holmes
 2901 Harding Ave
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MOTION By David Czerny, second by Sharon Aleksandrian to approve the request for a variance, to allow ceiling height of less than 7 foot, in a residential rental property, in District Zoned R-3, Single Family Residential at 2901 Harding Ave. Motion carried.

ROLL CALL:

Sam Akeman	No	Barbara Hawkins	No
David Czerny	Yes	Gloria Rains	Yes
Sharon Aleksandrian	Yes		
